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RESPONSE AFTER FINAL
UNDER 37 CFR §1.116
-EXPEDITED PROCEDURE-
EXAMINING GROUP 1642

ATTORNEY'S DOCKET NO: S01237/70011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth Walsh
Serial No: 09/408,905
Filed: September 29, 1999
For: AKT Compositions for Enhancing Survival of Cells
Examiner: Nickol, G.
Art Unit: 1642

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this document is being placed in the United States mail with first-class postage attached, addressed to Box AF, Commissioner for Patents, Washington, D.C. 20231 on the 15th of July 2002.

Konstantinos Andrikopoulos
Konstantinos Andrikopoulos, Reg. No. 48,915

Box AF
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

RESPONSE AFTER FINAL

This is in response to the Final Office Action mailed from the United States Patent and Trademark Office on January 15, 2002 (Paper No. 21). A Petition for a Three Month Extension of Time (on transmittal) and appropriate fee are submitted concurrently herewith.

REMARKS

The executed Declaration of Kenneth Walsh under 37 C.F.R. 1.131 was mailed to the USPTO on December 6, 2002. In a telephone message left for attorney E. Robin Plumer, the Examiner indicated that he had located the executed Declaration in the file.

It was the understanding of the attorney E. Robin Plumer that the Examiner intended to cancel the January 15, 2002 Office Action and to issue a NEW Final Office Action that was to take into account the executed Declaration of K. Walsh. It was further the understanding of attorney E. Robin Plumer that the Examiner was to delineate the specific deficiencies in the response submitted on June 7, 2002, by E. Robin Plumer to facilitate the preparation of a further Declaration by K. Walsh which was to address any unresolved issues relating to Dr. Walsh's date of invention compared to the cited prior art including, for